

The Orissa Gazette



EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1432 CUTTACK, TUESDAY, SEPTEMBER 7, 2010 / BHADRA 16, 1932

OFFICE OF THE
MUNICIPAL COUNCIL, BELPAHAR

NOTICE

The 1st April 2010

No. 1332—Notice is hereby given for the information of general Public/Businesses/Industrialist of Belpahar Municipality area that the Council of Belpahar Municipality have proposed for introduction of Hoarding fee as per provision of Municipal law.

Draft Bye-law for the same has been prepared to regulate imposition of hoarding fee and is hereby published in the *Orissa Gazette* for general information of any person/organization likely to be effected by the same which will remain open for seven days from the date of publication of this Notice in Gazette. On receipt of suggestion and objection, if any, within due date further steps would be initiated to get Bye-law approved by the Government in H. & U.D. Department, Orissa, Bhubaneswar.

By order of the Chairperson
BIRANCHI NAYARAN HOTA
Executive Officer
Belpahar Municipality

MUNICIPAL COUNCIL, BELPAHAR
DRAFT BYE-LAW FOR IMPOSITION OF FEE ON ADVERTISEMENT

[Under Section 388/(30) of Orissa Municipal Act, 1950]

1. Prohibition on erection, exhibition, fixation, retention or display of advertisement without written permission of the Executive Officer.

(a) No person shall erect, exhibit, fix or retain upon or over any land building, wall hoarding, frame, post, kiosks, structure, vehicle, neon-sign or sky-sign any advertisement or display any advertisement to public view in any manner whatsoever in any place within the jurisdiction of the Municipality without the prior written permission of the Executive Officer.

(b) Prohibition of erection, exhibition, fixation, retention or display of advertisements on historic public building :

No person shall erect, exhibit, fix, retain or display or cause to be erected, exhibited, fixed, retained or displayed any advertisement so as to cause damage to the amenities or obstruct the view of any historic public building or buildings of national importance, monument or public garden, etc.

2. Prohibition on erection, exhibition, fixation, retention or display of advertisement :

(a) On roads—No person shall erect, exhibit, fix, retain, display or cause to be erected exhibited, fixed, retained or displayed any advertisement on any land, building which may be opened to the view of traffic causing distraction to motorists thereby endangering public safety.

(b) On Temples, Mosques, Gurudwaras, Churches and other such religious places or lands and buildings within one hundred meters of such religious places.

(c) Within one hundred meters of Schools & Colleges and other Educational Institutions.

(d) On cremation grounds or lands and buildings within one hundred meters of cremation grounds.

(e) Near any fly-over, railway over-bridge, water tank, communication tower, transmission tower or land and buildings within one hundred meters of such fly-over or railway over bridge.

(f) On any other street, road, crossing, junction, place, area, locality or part thereof as may be decided by the Executive Officer from time to time in public interest for reasons to be recorded in writing.

3. Manner of display of advertisement on vehicles :

No vehicle used for the purpose of advertisement shall display any advertisement in a manner different from that as approved by the Executive Officer.

4. Prohibition on defacement of sign or mark or letter of advertisement :

No person shall deface or cause to be defaced any sign or mark or letter or words that shall have been put by the Executive Officer on the advertisement erected, exhibited, fixed, retained or displayed in token of their having been permitted or approved by him and of the tax having been collected thereon.

5. Advertisement of Hoardings :

1. (a) Shall not be of more than 20' height from the ground level/roof top whichever case may be.
- (b) Shall not project or be on or over the public passage beyond the general store or buildings in the street for which a regular location has been prescribed.
- (c) Shall not exceed the size approved by the Executive Officer.
- (d) Shall not be put up or executed on the right of any road provided that advertisement hoarding may be put or erected adjacent to or near the footpaths of the roads. If such hoarding run parallel to the road and are otherwise permitted by the Executive Officer.
- (e) Shall not be put up over roof top of Private / Govt./Municipality/ Institution building without prior permission of Executive Officer.
2. The base of the hoarding shall be at height of 5' from the ground level & shall be at proper alignment, in conformity with other hoardings & at a distance of at least 10' from any other hoarding.
3. Hoarding shall be fixed minimum 12' away from road pavement.
4. Permission for roof top hoarding on private building / institutions shall be considered subject to verification of structural stability, no objection from the concerned authority undertaking on factor of safety of the structure.
6. Procedure for grant of permission for erection, exhibition, fixation, retention or display of advertisements.
 - (a) Every person desiring to erect, exhibit, fix, retain or display an advertisement shall apply to the Executive Officer for permission in the form available in Municipal Office against payment of fees of Rs.100. The said application form duly filled in all respects shall be submitted by the applicant in the Municipality Office against a proper receipt. The Executive Officer may, after making such inspection and verification as may be, in accordance with the provisions of Act and the Regulations made thereunder.
 - (b) The Executive Officer may disapprove an advertisement among others on the ground that, its contents or the manner of its display is unsuitable from the considerations of public safety, traffic hazards or aesthetic design or otherwise offensive and in bad taste and offensive to public sentiments.

- (c) Every licence shall be for a period of one year except in the case of sites used for temporary congregation including fairs, festivals, circus, yatra, exhibitions, sports events or cultural or social programmes.
- (d) If any tax on advertisement is not paid within the stipulated time after the demand notice, the same shall be recovered as arrears of tax and the permission granted shall be deemed to have been terminated. The Executive Officer shall be at liberty to remove such hoardings.
- (e) If any advertisement is erected, exhibited, fixed or retained on any land & building unauthorisely & in contravention to the provisions of the Act & the Regulations made thereunder, such advertisement or hoarding shall be removed by the Executive Officer without any notice whatsoever & expenses for the removal of such unauthorized advertisement of hoarding shall be recovered from the advertiser or exhibitor concerned at the rate Rupees 5,000 of size 200sq. ft. & Rupees 7,000 for sizes larger than 200 sq. ft. as per the provisions of law.
- (f) The Executive Officer shall cause to maintain a register showing the licences issued under the Act & Regulations.

7. Fee to be paid in advance :

- (i) The tax on each advertisement shall be payable 50% as security deposit for the financial year concerned as per the charges specified in the schedule to these regulations.
- (ii) All dues shall be payable in cash or by pay order or demand draft.

8. Licensed or registered advertisement :

- (i) No person except licensed or registered advertisers or agencies shall be allowed to undertake display of advertisement on behalf of other persons or agencies, but shall enroll themselves as licensed or registered advertisers with the Municipality by furnishing the required information, documents, security as may be determined by Executive Officer & shall pay the licence fee or registration fee security deposit as may be determined by the Council of Belpahar N.A.C. from time to time.
- (ii) Persons intending to entrust the work of displaying advertisement on their behalf shall not entrust it to any unlicensed or unregistered advertiser.
- (iii) A licensed or registered advertiser shall before displaying or causing the display of advertisements, satisfy himself that, the tax due thereon has been paid to the N.A.C. & Executive Officer's approval obtained thereof.
- (iv) A licensed or registered advertiser shall maintain proper record of advertisements displayed by him and produce the same whenever required for inspection by the Executive Officer or any other Officer authorized by him.

9. Penalty :

- (i) Whoever contravenes any of the provisions of these regulation and terms & conditions on the subjects fails to comply with the order of direction lawfully given shall be punishable with a fine of Rs.50 per sq.ft. per day till which such contravention continues. The contravention of these regulations shall be dealt with and punishable as per the provisions of the Orissa Municipal Act provided under Section 389.
- (ii) Any other action including blacklisting of the defaulting agency or advertiser may also be taken as the Council may decide on the recommendation of the Executive Officer.

10. Regulation to be available for inspection & purchase :

A copy of these regulations shall be kept at the Municipal Officer & during office hours shall be open free of charge for inspection by any inhabitant of Belpahar.

SCHEDULE CHARGES FOR ADVERTISEMENT

(a)	(i) Non-illuminated advertisement on hoarding / Post / Kiosks / Poles Frame / Structures /Roof top of Municipal Building—	Up to 100 Sq.ft.	Rs. 25 per Sq.ft. per year or part thereof.
		Above 100 Sq. ft.	Rs.30 per Sq.ft. per year or part thereof.
	(ii) Non-illuminated advertisement on Roof top of Private / Institutions Building—	Up to 150 Sq.ft.	Rs. 25 per Sq.ft. per year or part thereof.
		Above 150 Sq.ft.	Rs.30 per Sq.ft. per year or part thereof.
	(iii) For illuminated advertisement on hoarding / Wall / Post / Kiosks / Poles / Frame, etc.		50% surcharge over the above rate
(b)	Collapsible Kiosks(Temporary)		Rs. 200 per month or part thereof irrespective of size, etc. of each Kiosk.
(c)	Advertisement on vehicles per Sq.ft. (Board carried painting etc.)		Rs. 25 per year or part thereof
(d)	Advertisement on Glow sign. per Sq.ft. (Board on premises / walls)		Rs. 20 per year or part thereof

(e) Advertisement by Umbrella per Sq.ft.	Rs. 30 per month or part thereof
(f) Advertisement by Balloons	Rs.100 per balloon per month or part thereof.
(g) Advertisement by Audio/Sound	Rs.100 per unit up to four speakers Amplifier/Speaker or part thereof per day.
(h) For Video display in public place screen per	Rs. 300 per month per television or part thereof.
(i) Advertisement as Sticker on Car or vehicle	Rs.100 per month or part thereof irrespective of size.
(j) Poster / Banners per Sq. ft.	Rs. 30 per day or part thereof
(k) Cinema Advertisement/films shown in Cinema Halls or Cable television.	Rs. 30 per month or part thereof for each part of the advertisement.
(l) Mobile hoarding or hoarding mounted on vehicle.	Rs. 20 per Sq.ft. per month or part thereof.

By order of the Belpahar Municipality

BIRANCHI NARAYAN HOTA
Executive Officer
Belpahar Municipality